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10 Attorney for Defendant
11 WILLIAM MONTE DAVIS

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 WILLIAM MONTE DAVIS,

18 Defendant.

CR-11-0337-MMC

STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING HEARING

19 STIPULATION

20 Counsel for Defendant WILLIAM MONTE DAVIS, George C. Boisseau, is presently
21 unavailable to consult with the defendant because defense counsel is engaged in a jury trial in
22 the Sonoma County Superior Court. Accordingly, Defendant WILLIAM MONTE DAVIS and
23 the government, through undersigned counsel, stipulate that there is good cause to continue the
24 hearing presently scheduled for status/setting from February 15, 2012 at 2:30 p.m. to February
25 29, 2012 at 2:30 p.m., before the Honorable Maxine M. Chesney.

26 The parties further stipulate and request that the period from February 15, 2012 up to
27 and including February 29, 2012 be excluded under the Speedy Trial Act pursuant to 18 U.S.C.

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1 §§3161(h)(7)(A) and 3161(h)(7)(B)(iv) in order to assure defendant continuity of counsel and
2 effective preparation of counsel.

3 IT IS SO STIPULATED.

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5 Dated: February 13, 2012

/s/
GEORGE C. BOISSEAU
Attorney for Defendant William Monte Davis

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8 Dated: February 13, 2012

/s/
CHINHAYI COLEMAN CADET
Assistant United States Attorney

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10 ORDER

11 1. GOOD CAUSE APPEARING, it is hereby ordered that the hearing scheduled
12 for status/setting be continued from February 15, 2012 at 2:30 p.m. until February 29, 2012 at
13 2:15
2:30 p.m., before the Hon. Maxine M. Chesney.

14 2. Time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 from February
15 15, 2012 up to and including February 29, 2012 for continuity of counsel and effective
16 preparation of counsel for Defendant William Monte Davis. Failure to grant the requested
17 continuance would unreasonably deny the defendant continuity of counsel, and would deny
18 defense counsel the time necessary for effective preparation, taking into account the exercise of
19 due diligence.

20 3. Given these circumstances, the Court finds that the ends of justice served by
21 excluding the period from February 15, 2012 up to and including February 29, 2012 outweigh
22 the best interest of the public and Defendant William Monte Davis a speedy trial. 19 U.S.C. §
23 3161(h)(7)(A).

24 4. Accordingly, the Court orders that the period from February 15, 2012 up to and
25 including February 29, 2012 be excluded from the Speedy Trial Act calculations as to
26 Defendant William Monte Davis under 18 U.S.C. §§ 3161(h)(7)(A) & (B)(iv).

27 IT IS SO ORDERED.

28 Dated: Feb. 14, 2012


HON. MAXINE M. CHESNEY
United States District Judge